

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS (SPRINGFIELD)

IN RE:

Cynthia A. Sample,

Debtor.

Case No. 17-30935-EDK

Chapter 7

OBJECTION TO TRUSTEE'S MOTION FOR SALE OF PROPERTY (DOCKET NO. 39)

Now comes Navy Federal Credit Union and hereby files its objection to the Trustee's Motion for Sale of Property. In support of its objection, Navy Federal Credit Union states as follows:

1. Navy Federal Credit Union is the holder of a first mortgage on the property located at 384 Housatonic Street, Lenox, MA 01240 (the "Property"). As of September 27, 2018, the approximate payoff of said mortgage is anticipated to be \$180,414.89.
2. On August 15, 2018, the Trustee filed the Motion for Sale of Property. *Docket Entry 39*. The Motion to Sell states that the Property is to be sold for \$174,000.00. The motion further states that the Property "...is subject to a first mortgage lien (the "Senior Mortgage") currently held or serviced by Navy Federal Credit Union (the "Secured Creditor"), which is owed approximately \$170,000." *Docket Entry 39, at ¶4*.
3. Navy Federal Credit Union objects to the Motion to Sell because its loan will not be paid in full according to the Trustee's Motion for Sale of Property and any sale amount less than the total debt should be subject to approval.
4. Upon request, a payoff good through the closing date will be provided.

WHEREFORE, Navy Federal Credit Union requests that the Trustee's Motion for Sale of Property be denied.

Respectfully submitted,



Navy Federal Credit Union,
By its Attorney

/s/Joshua Ryan-Polczinski
Joshua Ryan-Polczinski
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Dated: August 31, 2018

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CERTIFICATE OF SERVICE

I, Joshua Ryan-Polczinski, state that on August 31, 2018, I electronically filed the foregoing document with the United States Bankruptcy Court for the District of District of Massachusetts on behalf of Navy Federal Credit Union using the CM/ECF System. I served the foregoing document on the following CM/ECF participants:

Jack Houghton, Jr.

Steven Weiss

Richard T. King

I certify that I have mailed by first class mail, postage prepaid, the documents electronically filed with the Court on the following non CM/ECF participants:

Jack Houghton, Jr.
Law Offices of Jack E. Houghton, Jr.
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Lenox, MA 01240

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Respectfully submitted,

Navy Federal Credit Union,
By its Attorney

/s/Joshua Ryan-Polczinski

Joshua Ryan-Polczinski

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